United Nations S/2013/598

Security Council

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The Security Council,

Recalling its resolution 2088 (2013) and its Press Statements of 14 August 2013, 29 April 2013, 25 March 2013, 22 March 2013, 20 March 2013, 11 January 2013, 4 January 2013, 27 December 2012 and 19 December 2012,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of the Central African Republic (CAR), and recalling the importance of the principles of good-neighbourliness and regional cooperation,

Expressing deep concern at the security situation in the CAR, characterized by a total breakdown in law and order, the absence of the rule of law and further expressing its grave concern about the consequences of instability in the CAR, on the central African region and beyond, and stressing in this regard the need to respond swiftly,

Remaining seriously concerned by violations of international humanitarian law and the widespread human rights violations and abuses, notably by Seleka elements, including those involving extrajudicial killings, enforced disappearances, arbitrary arrests and detention, torture, sexual violence against women and children, rape, recruitment and use of children and attacks against civilians,

Reiterating that all perpetrators of such acts must be held accountable and that some of those acts may amount to crimes under the Rome Statute of the International Criminal Court (ICC), to which the CAR is a State party, recalling in this regard the statement made by the Prosecutor of the ICC on 7 August 2013,

Noting with appreciation the United Nations Human Rights Council resolution on the 25th of September, which decided to appoint a United Nations independent expert to monitor the situation of human rights in the CAR and to make recommendations concerning technical assistance and capacity-building in the field of human rights,

Expressing its grave concern at the significant deterioration of the humanitarian situation and the insecurity which hinders humanitarian access, as well as violations of international humanitarian law which have escalated the growing humanitarian crisis into a complex emergency,

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Underlining its particular concern at reports of the targeted violence against representatives of ethnic and religious groups and increasing tensions between communities,

Expressing concern about the continued activity of the Lord's Resistance Army (LRA) in the CAR due in part to the prevailing security situation,

Recalling its resolution 2117 (2013) and *expressing grave concern* at the threat to peace and security in the CAR arising from the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons,

Strongly condemning the targeted attacks against United Nations staff and humanitarian actors and *emphasizing* that all parties should take the necessary steps to ensure the safety and security of humanitarian personnel and United Nations and associated personnel and to respect and ensure respect for the inviolability of the United Nations premises,

Recalling its resolutions 1265 (1999), 1296 (2000), 1674 (2006), 1738 (2006) and 1894 (2009) on the protection of civilians in armed conflicts, resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010) and 2106 (2013) on women, peace and security and resolutions 1612 (2005), 1882 (2009), 1998 (2011) and 2068 (2012) on children and armed conflict and *calling upon* the parties in the CAR to engage with the Special Representative on Children and Armed Conflict and the Special Representative on Sexual Violence in Conflict,

Looking forward to the swift appointment of a new Chair for the Central African Republic Peacebuilding Commission Country-Specific Configuration,

Reiterating its condemnation of the seizure of power by force on 24 March 2013 by the Seleka coalition as well as the associated violence and looting,

Condemning the devastation of natural heritage and noting that poaching and trafficking of wildlife are among the factors that fuel the crisis in the CAR,

Noting the decision of the African Union Peace and Security Council dated 25 March 2013 to suspend the participation of the CAR in all the activities of the African Union and the decision taken by this organization against the Seleka leaders whose action violated the Libreville agreements and jeopardized the precarious stability in the CAR,

Commending the ongoing efforts of the Economic Community of Central African States (ECCAS) and its Mediator regarding the CAR crisis, as well as the efforts of the African Union to resolve the crisis, and the efforts of the International Contact Group on the CAR,

Welcoming the decision of the African Union Peace and Security Council on 19 July 2013 to authorize the deployment of the "African-led International Support Mission in the CAR" (referred to hereafter as MISCA), as well as the conclusions reached by the AU and the ECCAS regarding the modalities of the transition from MICOPAX to MISCA following the consultative meeting held in Addis Ababa on 2 and 3 September 2013,

Taking note of the Kigali Declaration of Ministers of Foreign Affairs of the members of the United Nations Standing Advisory Committee responsible for Security Questions in Central African States (UNSAC),

Taking note of the report of the Secretary-General dated 5 August 2013 (S/2013/470) and his recommendations on the United Nations Integrated Peacebuilding Office in the CAR (BINUCA),

Taking note of the letter of the Secretary-General dated 16 September (S/2013/557), on the situation in the CAR and on the activities of BINUCA,

Reiterating that the armed conflict and crisis in the CAR pose a serious threat to the stability of the CAR and the central African region and beyond,

Political transition

1. *Expresses its support* for the Libreville Agreements of 11 January 2013, the N'Djamena Declaration of 18 April 2013 and the N'Djamena Summit Roadmap, which provide the basis for a peaceful political resolution to the crisis in the CAR;

2. *Reiterates* that, according to the political agreement signed in Libreville, the Prime Minister is the Head of the Government of National Unity which is in charge of implementing the priorities defined in article 5 of this agreement and *urges* all parties to respect this agreement;

3. *Demands* the swift implementation of transitional arrangements referred to in paragraph 1 above, which shall lead to the holding of free, fair and transparent presidential and legislative elections 18 months after the beginning of the transition period as defined in article 102 of the Transition Charter which took effect on 18 August 2013, and called for by the N'Djamena Declaration;

4. *Requests* the Secretary-General to provide support to the ongoing mediation efforts by the ECCAS, including through the good offices of his Special Representative to the CAR, to support the implementation of the Libreville agreements and the N'Djamena Roadmap;

5. *Expresses its readiness* to consider appropriate measures as necessary against those who take action that undermines the peace, stability and security, including those who violate transitional agreements, impede the transitional process and fuel violence;

6. *Underscores* the primary responsibility of the Central African authorities to protect the population, as well as to ensure the security and unity in its territory, and stresses their obligation to ensure respect for international humanitarian law, human rights law and refugee law;

7. *Expresses its full support* for the efforts of the United Nations in the CAR, including through Special Representative of the Secretary-General, Lieutenant-General (Retired) Gaye, and reiterates its call upon the international community to support these efforts;

8. *Demands* that the Seleka elements and all other armed groups lay down their arms immediately and *urges* them to participate in disarmament, demobilization and reintegration programmes (DDR) or disarmament, demobilization, repatriation, resettlement and reintegration programmes (DDRRR);

BINUCA mandate

9. *Takes note with appreciation* of the recommendations by the Secretary-General, in his letter dated 16 September 2013 (S/2013/557), to reinforce BINUCA;

10. *Decides* that the mandate of BINUCA shall be reinforced and updated as follows:

(a) Support for the implementation of the transition process:

– To help restore the constitutional order by supporting the ongoing political process, transitional institutions and implementation mechanisms, and to help support the implementation of Libreville agreements and the N'Djamena Roadmap;

– To assist in the implementation of the electoral process, with a view to holding elections, as referred to in paragraph 3 above;

(b) Support for conflict prevention and humanitarian assistance:

– To exercise good offices, confidence-building and facilitation in order to anticipate, prevent, mitigate and resolve conflict and facilitate the safe, civilian-led delivery of humanitarian assistance, in accordance with United Nations guiding principles of humanitarian assistance;

(c) Support for the stabilization of the security situation:

– To support the stabilization of the security situation by advising on security sector governance and reform (SSR), rule of law (including police, justice and corrections), disarmament, demobilization and reintegration (DDR) or disarmament, demobilization, repatriation, resettlement and reintegration (DDRRR) of combatants, including of all children associated with armed forces and groups, and mine action, including clearance of explosive remnants of war;

(d) Promotion and protection of human rights:

– To monitor, help investigate and report to the Council on abuses or violations of human rights or violations of international humanitarian law committed throughout the CAR, including by the LRA, and to contribute to efforts to prevent such violations and abuses;

– To monitor, help investigate and report to the Council, specifically on violations and abuses committed against children as well as violations committed against women including all forms of sexual violence in armed conflict, including through the deployment of women protection advisers and child protection advisers;

– To help strengthen the capacities of the judicial system, including transitional justice mechanisms, and of the national human rights institutions and assist with national reconciliation efforts;

(e) Coordination of international actors:

– To coordinate international actors involved in the implementation of the tasks described above;

11. *Takes note of* the recommendation of the Secretary-General for BINUCA to strengthen its field presence as security conditions permit and, in this regard, *expresses its intention* to swiftly consider the Secretary-General's proposals for the protection of United Nations personnel and installations, including the possible

establishment of a guard unit and *requests* the Secretary-General to provide details in this regard;

LRA

12. *Calls on* all countries, subregional and regional organizations concerned to further their efforts and enhance their coordination including through the African Union Regional Task Force and the United Nations regional strategy to address the threat posed by the LRA;

Human rights and humanitarian access

13. *Strongly condemns* the continued violations of international humanitarian law and the widespread human rights violations and abuses, perpetrated by armed groups, and specifically Seleka elements and the LRA, that threaten the population and stresses that the perpetrators of such violations shall be brought to justice;

14. *Demands* that all parties in the CAR, in particular the Seleka, ensure safe and unhindered access and the timely delivery of humanitarian aid to persons in need of assistance in accordance with United Nations guiding principles of humanitarian assistance;

15. *Demands* that all armed groups, in particular Seleka elements prevent the recruitment and use of children, *further demands* that all parties protect and consider as victims those children who have been released or otherwise separated from armed forces and armed groups, and *emphasizes* the need to pay particular attention to the protection, release and reintegration of all children associated with armed groups;

16. *Calls upon* all parties to armed conflict in the CAR, including Seleka elements to issue clear orders against sexual violence, and further calls upon those parties to make and implement specific commitments on timely investigation of alleged abuses in order to hold perpetrators accountable, in line with its resolution 1960 (2010), and to facilitate immediate access for victims of sexual violence to available services;

DDR/SSR

17. *Underlines* the importance of developing and implementing disarmament, demobilization and reintegration or repatriation (DDR or DDRRR) programmes, including for those Seleka elements who will not be integrated into the security forces, as well as Security Sector Reform (SSR) programmes, which include appropriate vetting procedures, *underscores* the need for professional, balanced and representative CAR security forces and requests the Secretary-General to present details on those programmes and proposals regarding BINUCA's potential assistance for their implementation in his report due on 31 December;

18. *Stresses* the importance of addressing the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons in the CAR, and *expresses* its readiness to consider appropriate responses in this regard;

Support to MISCA

19. *Looks forward* to the swift establishment of MISCA, which will represent a major contribution towards creating the conditions for a stable and democratic

CAR exercising authority over its national territory and assuming its responsibility for the protection of its civilian population;

20. *Encourages* countries in the region and other African countries to participate in the establishment of MISCA, *further encourages* Member States to provide timely and effective support to MISCA and also *encourages* the AU and the ECCAS, building on their previous consultations, to expedite their efforts towards the effective transition from MICOPAX to MISCA, and *requests* in this regard the Secretary-General and BINUCA to establish appropriate cooperation mechanisms with the ECCAS and the AU in order to facilitate this process;

21. *Takes note of* the letter of the African Union dated 26 July 2013, which stressed the importance of a strong partnership with the United Nations;

22. *Expresses its intention* to consider options for support to MISCA, *requests* the Secretary-General to immediately provide planners to assist ECCAS and the African Union, in close consultation with all interested bilateral partners and international organizations, in the joint planning efforts for the deployment of MISCA, and *further requests* the Secretary-General to submit, in close cooperation with the AU and the ECCAS and the above mentioned partners, no later than 30 days after the adoption of this resolution, a written report on the planning of MISCA with detailed options for international support to MISCA, including the possible option of a transformation of MISCA into a United Nations peacekeeping operation, subject to appropriate conditions on the ground;

Report

23. *Reiterates* its request to the Secretary-General to provide a report by 31 December 2013 in line with its resolution 2088 (2013), including a detailed assessment of BINUCA's performance and effectiveness;

24. *Decides* to remain actively seized of the matter.